

JUL 26 2011

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

UNITED STATES OF AMERICA)	Case No. 5:09CR00013-1
)	(Case No. 5:10CV80253)
)	
v.)	
)	2255 FINAL ORDER
)	
DOUGLAS JAY RANKIN)	
)	By: Glen E. Conrad
Defendant.)	Chief United States District Judge

This action, brought as a motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255, is before the court upon the Report and Recommendation of the United States Magistrate Judge, prepared pursuant to 28 U.S.C. § 636(b). The Magistrate Judge concludes that the defendant's claims are without merit and recommends that the § 2255 motion be denied in its entirety. The fourteen days allotted under § 636(b) for parties to object to the findings and recommendations in the Magistrate Judge's Report have expired, and neither party has filed objections. Accordingly, it is hereby

ADJUDGED AND ORDERED

that the Report and Recommendation of the Magistrate Judge (DE 129) shall be and hereby is **ADOPTED** in its entirety; the government's dispositive motion (DE 108) is **GRANTED** as to the defendant's claims alleging ineffective assistance of counsel prior to judgment; the defendant's motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255, is **DENIED** as to all claims; and this action is hereby stricken from the active docket of the court. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

The Clerk is directed to send a copy of this order to counsel of record and to the defendant.

ENTER: This 25th day of July, 2011.



Chief United States District Judge